

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CASTLERIGG MASTER INVESTMENTS	:	
LTD.,	:	
	:	
Plaintiff,	:	
	:	Civ. No. 07-cv-9742 (GEL)(DCF)
-against-	:	
	:	
CHARYS HOLDING COMPANY, INC.,	:	
	:	<b>NOTICE OF MOTION</b>
Defendant.	:	<b><u>FOR SUMMARY JUDGMENT</u></b>
	:	
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**PLEASE TAKE NOTICE** that, upon the accompanying Rule 56.1 Statement of Material Facts in Support of Plaintiff's Motion for Summary Judgment; the accompanying Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment; and the accompanying Declaration of Matthew Pliskin, the undersigned will move this Court, before the Honorable Gerard E. Lynch, United States District Judge, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, at a date and time to be set by the Court, for an order:

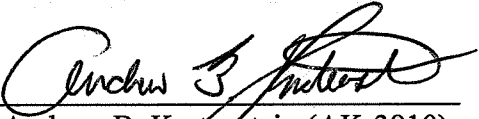
(1) pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment in favor of Plaintiff Castlerigg Master Investments Ltd. ("Castlerigg"), on the ground that there is no genuine issue as to any material fact and that Castlerigg is entitled to judgment as a matter of law in an amount of no less than \$5,649,363, plus the warrants Castlerigg is entitled to under the contracts at issue; and

- (2) no less than \$44,506.25 in costs and attorneys's fees and disbursements; and
- (3) granting Castlerigg such other and further relief as may be just and proper.

Dated: New York, New York.  
January 11, 2008

Respectfully submitted,

**McDERMOTT WILL & EMERY LLP**

By:   
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*Attorneys for Plaintiff  
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